

Department of Health and Human Services

**OFFICE OF
INSPECTOR GENERAL**

**Interstate Compact on the Placement of
Children: Implementation**



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EXECUTIVE SUMMARY

PURPOSE

The purpose of this inspection is to identify the strengths and weaknesses in the implementation of the Interstate Compact on the Placement of Children.

BACKGROUND

The Administration for Children and Families (ACF) has asked the Office of Inspector General (OIG) to look at interstate compacts that affect children placed or moved across State lines. The OIG has completed two other inspections in this area. *Interstate Compact on Adoption and Medical Assistance* assesses how membership in this compact affects States' efforts to protect the interests of adopted special needs children who move interstate. *The Interstate Compact on the Placement of Children: State Structure and Process* describes how States have implemented the Interstate Compact on the Placement of Children (the Compact); in particular, how States structure their Compact function, States' Compact procedures, and the number of children placed through the Compact. Currently, ACF is interested in the Compact's strengths and weaknesses. This inspection addresses these issues.

Sometimes the most suitable placement for a child is out of their own State. The reasons for such placements include adoptions by a family in another State, placement into foster care out of State, and reunification with a parent who has moved while the child was in State custody.

The Interstate Compact on the Placement of Children is a contract among the States intended to ensure that children placed across States lines receive adequate protection and services. The Compact outlines the steps necessary to place a child out of State. For example, the State the child is in (the sending State) asks the State in which the child is to be placed (the receiving State) to conduct a home study to evaluate the suitability of the potential placement. If a placement is actually made, the receiving State supervises the placement and the sending State maintains financial responsibility for the child. All States, the District of Columbia, and the U.S. Virgin Islands are members of the Compact.

We gathered information from three separate sources: compact administrators in the 10 States with the highest population under age 18, local workers in those States, and other involved parties. We used consensus within and among the groups as a cross check to confirm our findings. We also reviewed State policies and procedures with respect to residential placements.

FINDINGS

The Compact Facilitates Interstate Placements

The Compact facilitates interstate placements in four main ways. First, the Compact increases placement options available for children. Second, the child's safety is guarded through services

and protections offered by the receiving States. Third, the Compact ensures that the appropriate laws are followed before a placement is made. Fourth, the Compact has created a network through which States cooperate in making placements and exchanging information.

States Are Fulfilling Their Obligations Under the Compact

States seem to be meeting the basic requirements of the Compact. States are conducting home studies, providing for children financially, and supervising the placements.

However, Some Weaknesses Are Acknowledged

Although all ten State compact administrators believe that children are better off because of the Compact, they also acknowledge there are weaknesses in the Compact's implementation. State administrators, local workers, and other involved parties report four main weaknesses: lack of knowledge about the Compact among judges, attorneys, and caseworkers; placements in violation of the Compact; the lengthy process; and differing adoption laws among States that may hinder placements.

The Compact Plays a Smaller Role in Residential Placements

Receiving States do not conduct home studies to assess placement suitability for residential placements, nor do they supervise residential placements. Documents for these placements sometimes bypass Compact offices. Further, most States do not have written policies for residential placements. And lastly, States also define residential care facilities differently.

OPPORTUNITIES FOR IMPROVEMENT

Based on this inspection and our previous study, we conclude that, overall, children are better off because of the Compact. However, we believe that there is a need to strengthen its implementation. We offer the following recommendations for those individuals and entities that have a role in the Compact.

Awareness

We learned that many individuals who work in the child welfare system are still unaware of the Compact. Clearly, more dissemination of Compact information is needed. We suggest that the States improve and increase the information about the Compact available to local workers, judges, attorneys, placement agencies and parents. This can be accomplished through increased opportunities for training for professionals, circulation of pamphlets among agencies and local workers, and the creation of a web site that would explain the purpose of the Compact and the process in simple language. Increased awareness and familiarity with the Compact may help reduce the number of violations that occur.

Timeliness

We heard that one of the chief complaints of our respondents is the length of the Compact process. Border State agreements may be a viable method to reduce the lengthiness of the Compact process. The Association of Administrators and the States are currently discussing the implementation of border state agreements. Such agreements, usually between two bordering States, could allow local workers from one State to enter the other State to complete home studies or supervision. We encourage the Association and the States to continue these discussions.

State Level Coordination

We are aware that local workers do not always communicate formally through the State Compact offices. States' inability to account for all interstate placements noted in our earlier study, *The Interstate Compact on the Placement of Children: State Structure and Process* (OEI-95-02-00041), may in part be due to this failure. It is important that the State Compact offices continue to be the official contact point between States. We are encouraged that local workers often communicate directly for matters other than emergencies or problems. This contact is clearly in the best interest of the children.

Training and Technical Assistance

We believe there is opportunity for ACF to participate in strengthening the implementation of the Compact. The ACF can make training and technical assistance available to States. Further, ACF can support the efforts of the States and the Association to increase information dissemination about the Compact's purpose, importance and process.

Residential Placements

We recognize that residential placements are treated differently under the Compact and may be a potential vulnerability. We are continuing to look at the broader area of residential placements. We also encourage the States and the Association to examine how the Compact handles placements into residential care facilities.

COMMENTS

We received comments from the Administration for Children and Families (ACF) and from the American Public Human Services Association (APHSA). They both agree that there is opportunity for ACF to work with the Compact to provide necessary training. The full text of these comments can be found in Appendix A.

The ACF plans to work with national resource centers, the Association of Administrators of the Interstate Compact on the Placement of Children, and the States to determine how it can promote awareness of the Compact, provide training to State agency staff who implement the Compact, and support the development of model procedures to help the Compact operate more effectively.

The APHSA comments include the comments of the Executive Committee of the Association of Administrators. They strongly endorse the idea of ACF providing assistance to the States to strengthen the implementation of the Compact as well as training. In addition, they offered technical comments and we modified the report where appropriate.